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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/594,284

06/15/2000

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04/20/2006

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EXAMINER

DELGADO, MICHAEL A

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/594,284	Applicant(s) KAWAMOTO ET AL.	
	Examiner Michael S. A. Delgado	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13,14,17,18 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13,14,17,18 and 20-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/1/00</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/26/2006 has been entered.

Response to Arguments

1. Applicant's arguments include the failure of previously applied art to expressly disclose terminal use information in generating a user profile. See Response, Remarks dated 01/26/2006, page 1, lines 22-30. It is evident from the detailed mappings found in the above rejection(s) that Lee et al. disclosed this functionality of creating a user profile base on terminal use information. Further, it is clear from the numerous teachings (previously and currently cited) that the provision for using terminal use information when profiling a user, was widely implemented in the networking art. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13-14, 17-18 and 20-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,717,923 by Dedrick in view of US 6,751,459 by Lee et al.

In claim 13, Dedrick teaches about a user information processing system comprising (Fig 1) (Col 2, lines 60-65):

a terminal unit "client system-personal computer" for use by a user adapted for accumulating use of said terminal unit by said user and the profile information of said user "client activities monitoring", wherein said profile information includes identifying Information about said terminal unit (Col 5, lines 20-40) (Col 5, lines 50-60); (The session manager has to know the identity of the terminal (IP source address) in order to setup a session between the terminal and server).

said server "metering server" server accessible by said terminal unit adapted for producing said profile information; (Col 9, lines 25-35); and

storing means "personal profile database 27" detachably provided in said terminal unit for storing said profile Information so that when the user uses a terminal unit, the terminal unit accesses the user profile information from the storing means to obtain information peculiar to the particular user using the terminal (Col 5, lines 50-65) (Col 6, lines 5-15);

but does explicitly teach that the user and profile information is collected base on the terminal use information. Dedrick teaches about the possibility of using different client systems (Terminal unit) (Col 3, lines 1-10) in which each transaction is stored for billing purpose.

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Lee teaches about the potential for the internet and the problem cause when one user is allowed to access more than one terminal (Col 1, line 60- Col 2, line 20). Lee teaches the solution of using terminal use information (Col 2, line 60-Col 3, line 15). It would have been obvious at the time of the invention for some one of ordinary skill to improve on the billing process of Dedrick by using Lee invention which provide the means for better transaction recording in a growing complex technology like the internet.

In claim 14, Dedrick combined with Lee, teaches about a terminal unit comprising:
use record information writing means for writing use record information used by the user (Col 5, lines 50-65);

storing means detachable provided in said terminal unit for storing profile information of said user so that when the user uses a terminal unit, the terminal unit accesses the user profile information from the storing means to obtain information peculiar to the particular user using the terminal unit (Dedrick Col 6, lines 5-15);

transmitting means "session manager" for transmitting said use record information "personal profile" accumulated in storing means "personal profile database 27" to profile information generating means remote from the terminal unit for every prescribed timing (Dedrick Col 5, lines 20-35) (Dedrick Col 6, lines 5-15) (Dedrick Col 9, lines 25-35);

profile information writing means for receiving the profile information of said user based on said use record information which is transmitted from said profile information generating means and writing said received profile Information in said storing means "personal profile database 30", wherein at least one of said use record information and said profile information

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includes identifying information for said terminal unit (Dedrick Col 9, lines 25-40); and
(Transaction requires known the identities of the terminal and the server).

selecting means for selecting provided information corresponding to said profile
information written in said storing means from among provided information transmitted from
prescribed information providing means (Dedrick Col 6, line 65- Col 7, line 10) (Dedrick Col 7,
lines 55-65).

In claim 17, Dedrick combined with Lee, teaches about a terminal unit according to claim
14,
wherein

said transmitting means transmits said profile information stored in said
storing means as well as said use record Information accumulated in said storing means
to said profile information generating means (Dedrick Col 9, lines 25-35); and

said profile information writing means receives the new profile information
of said user based on said use record information which is transmitted from said profile
information generating means and said stored profile information, and writes said
received new profile information in said storing means (Dedrick Col 9, lines 25-35); and

said selecting means selects said provided information on the basis of said new profile
information written in said storing means (Dedrick Col 6, line 65- Col 7, line 10) (Dedrick Col
7, lines 55-65).

In claim 18, Dedrick combined with Lee, teaches about a terminal unit comprising:

use record information writing means for writing use record information used by a user in prescribed storing means detachably provided in said terminal unit for storing profile information of said user so that when the user uses a terminal unit, the terminal unit accesses the user profile information from the storing means to obtain information peculiar to the particular user using the terminal (Dedrick Col 5, lines 50-65) (Dedrick Col 6, lines 5-15). (Dedrick Col 5, lines 20-40) (Covered in claim 13);

profile information writing means for writing profile information of said user in said storing means “personal profile database 27”, wherein said profile information is generated by a profile information generating means “statistic compilation process 26” remote from the terminal unit on the basis of said use record information accumulated in said storing means, and wherein at least one of said use record information and said profile information includes identifying information for said terminal unit (Dedrick Col 5, lines 20-40); and (The session manager has to know the identity of the terminal (IP source address) in order to setup a session between the terminal and server).

selecting means for selecting provided information corresponding to said profile information written in said storing means from among provided information transmitted from prescribed information providing means (Dedrick Col 6, line 65- Col 7, line 10) (Dedrick Col 7, lines 55-65).

In claim 20, Dedrick combined with Lee, teaches about a terminal unit according to claim 18, wherein

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said profile information generating means generates the new profile information of said user on the basis of said profile information stored in said storing means as well as said use record information accumulated in said storing means (Dedrick Col 5, lines 20-40);

said profile information writing means writes said generated new profile information in said storing means (Dedrick Col 5, lines 20-40); and

said selecting means selects said provided information on the basis of said new profile information written in said storing means (Dedrick Col 6, line 65- Col 7, line 10).

In claim 21, Dedrick combined with Lee, teaches about an apparatus for providing information to a terminal unit remote from the apparatus, said apparatus comprising:

profile Information generating means for generating profile information of a prescribed user based on the use record information of said terminal unit of said user transmitted from said terminal unit, wherein at least one of said use record information and said profile information includes identifying information for the terminal unit (Dedrick Col 5, lines 20-40) (Dedrick Col 9, lines 25-35) (Covered in claim 13); (The session manager has to know the identity of the terminal (IP source address) in order to setup a session between the terminal and server).

transmitting means for transmitting said generated profile information to the terminal unit (Dedrick Col 5, lines 20-40); and

storing means detachably provided in said the terminal unit for accumulating said use record information and said profile information so that when the user uses a terminal unit, the terminal unit accesses the user profile information from the storing means to obtain information

peculiar to the particular user using the terminal (Dedrick Col 5, lines 50-65) (Dedrick Col 6, lines 5-15). (Dedrick Col 5, lines 20-40).

In claim 22, Dedrick combined with Lee, teaches about an apparatus for providing information according to claim 21, wherein

said profile information generating means generates new profile Information of said user base on use record information and the past profile information of said user transmitted from said terminal unit (Dedrick Col 5, lines 20-40); and

said transmitting means transmits said new profile information thus generated to said terminal unit (Dedrick Col 5, lines 20-40).

In claim 23, Dedrick combined with Lee, teaches about an apparatus for providing information to a terminal unit remote from the apparatus, said apparatus comprising (Fig 1):

profile information generating means for generating the profile information of a prescribed user base on use record information of said terminal unit of said user transmitted from said terminal unit wherein at least one of said use record information and said profile information includes identifying information for said terminal unit (Dedrick Col 5, lines 20-40) (Covered in claim 13); and (The session manager has to know the identity of the terminal (e.g. IP source address) in order to setup a session between the terminal and server).

storing means for storing said profile information thus generated, wherein said storing means is a storage medium detachably provided in said terminal unit so that when the user uses a terminal unit, the terminal unit accesses the user profile information from the storing means to

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obtain information peculiar to the particular user using the terminal (Dedrick Col 5, lines 50-65) (Dedrick Col 6, lines 5-15). (Dedrick Col 5, lines 20-40) (Dedrick Col 5, lines 20-40) (Dedrick Col 6, lines 5-15).

In claim 24, Dedrick combined with Lee, teaches about an apparatus for providing information according to claim 23 comprising:

said profile information generating means generates new profile information of said user base on use record information and the past profile information of said user stored in said storing means (Dedrick Col 5, lines 50-65); and

said storing means stores said new profile information thus generated (Dedrick Col 5, lines 20-40).

In claim 25, Dedrick combined with Lee, teaches about an apparatus for providing Information according to claim 23 further comprising:

selecting means for selecting information supplied to said user base on the profile Information stored in said storing means (Dedrick Col 6, line 65- Col 7, line 10) (Dedrick Col 7, lines 55-65) .

In claim 26, Dedrick combined with Lee, teaches about a user information processing system according to claim 13, wherein said server generates new profile information base on said profile information of said user and said accumulated terminal use record information (Dedrick Col 6, lines 35-50).

In claim 27, Dedrick combined with Lee, teaches about a user information processing system comprising:

a terminal unit adapted to accumulate terminal use record Information "client activity" upon use of the terminal unit by a user (Dedrick Col 5, lines 20-40);

a storage medium detachably provided in said terminal unit so that when the user uses a terminal unit, the terminal unit accesses the user profile information from the storing means to obtain information peculiar to the particular user using the terminal (Dedrick Col 5, lines 50-65) (Dedrick Col 6, lines 5-15). (Dedrick Col 5, lines 20-40)

a server adapted to generate profile information of the user "personal profile" on the basis of the terminal use record information accumulated by the terminal unit, wherein said terminal unit is adapted to accumulate the profile information generated by said server, and wherein at least one of said use record information and said profile information includes identifying Information for said terminal unit (Dedrick Col 5, lines 20-40).

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,513,039 by Kraenzel teaches about a profile inferencing through automated access control list analysis heuristics.

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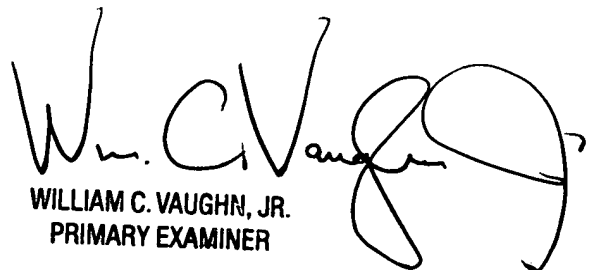
US Patent No. 6,460,036 by Herz teaches about a system and method for providing customized electronic newspapers and target advertisements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn Jr. can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MD


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